

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

FREDY RENAN NAJERA MONTOYA,

Defendant.

ORDER

(S1) 15 Cr. 378

PAUL G. GARDEPHE, U.S.D.J.:

At the February 19, 2020 hearing in this matter, Defendant's April 6, 2019 motion to withdraw his December 10, 2018 guilty plea (Dkt. No. 94) was granted on consent. See Feb. 19, 2020 Tr. (Dkt. No. 136-1) at 3-4, 27-29.

That same day, this Court accepted Defendant's guilty plea to: (1) conspiring to (a) import more than five kilograms of cocaine into the United States; (b) manufacture and distribute more than five kilograms of cocaine knowing and intending that it would be imported into the United States; and (c) manufacture, distribute, and possess on board an aircraft registered in the United States more than five kilograms of cocaine, in violation of 21 U.S.C. §§ 963, 952(a), 959(a), 960(a)(1), 960(a)(3), and 960(b)(1)(B) ((S1) Indictment (Dkt. No. 2), Count One); (2) using and carrying firearms during and in relation to, and possessing firearms in furtherance of, the drug trafficking offense charged in Count One, in violation of 18 U.S.C. § 924(c)(1)(A)(i) (id. (lesser included offense of Count Two)); and (3) conspiring to carry and use machineguns and destructive devices during and in relation to, and to possess machineguns and destructive devices in furtherance of, the drug trafficking offense charged in Count One, in

violation of 18 U.S.C. §§ 924(o) and 924(c)(1)(B)(ii) (id., Count Three). (See Feb. 19, 2020 Tr. (Dkt. No. 136-1) at 4-5, 27-29)

The Clerk of Court is directed to terminate the motions. (Dkt. Nos. 94, 137)

Dated: New York, New York
June 11, 2020

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first letter "P" is large and loops around the "G". The "G" is also large and loops around the "A". The "R" is tall and thin. The "D" is a simple loop. The "E" is a simple horizontal stroke. The "P" at the end is a simple loop.

Paul G. Gardephe
United States District Judge